

REMARKS

Claims 1-34 are currently pending. Applicants note with appreciation the indication that claims 1-31 have been allowed and the inference that claims 32-34 contain allowable subject matter. The Office, however, rejects claims 32-34 under 35 U.S.C. § 101 asserting that the claimed invention is directed on non-statutory subject matter insofar as it recites a computer readable recording medium that is defined in the specification to include carrier waves. The Office is concerned that the carrier waves may not be sufficiently tangible to pass muster under 35 U.S.C. § 101. While this issue is currently being debated in the courts, Applicants out of expediency have amended the claims to recite a tangible computer readable recording medium to overcome the stated concerns in the Office Action in order to gain prompt allowance of the present application.

Should the Office feel the language continues to be insufficient, the Examiner is invited to contact the undersigned at the number listed below.


In light of the foregoing, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection, as well as issuance of a Notice of Allowance.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: April 9, 2007

By:



Charles F. Wieland III
Registration No. 33096

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620